



UNITED STATES PATENT AND TRADEMARK OFFICE

FORM CD-260
REV. 6-86
DAO 202-335

EXCEPTED SERVICE

Vac Ann No: **SVR-06-0091**
Issue Date: **8/21/06**
Closing Date: **9/22/06**

VACANCY ANNOUNCEMENT

TITLE, SERIES, AND GRADE

ATTORNEY ADVISOR
GS-0905-13/14
Full performance level: GS-14
Salary Range GS-13: \$77,353 – \$100,554
Salary Range GS-14: \$91,407 – \$118,828
Work Schedule: Full-time
One Position
Excepted Service
Non Bargaining Unit
Position Sensitivity: This position is a
Moderate Risk position which requires a
minimum background investigation
(MBI)

VACANCY LOCATION

U.S. Patent and Trademark Office
OFFICE OF CIVIL RIGHTS
Alexandria, VA

AREA OF CONSIDERATION

All U.S. Citizens

This vacancy announcement replaces
Vacancy Announcement No. SVR-06-
0067, which was cancelled on 08/10/06.
Applicants who applied under Vacancy
Announcement No. SVR-06-0067 will
need to reapply.

DUTIES:

The incumbent of this position is responsible for providing legal resources to the Director of Civil Rights on matters associated with equal employment opportunity. As an expert technical authority responsible for legal matters, the incumbent is responsible for the following:

- Plans, manages, and executes all aspects of legal requirement related to Equal Employment Opportunity (EEO), Affirmative Action (AA), Reasonable Accommodation and Diversity Initiatives Program.
- Analyzes and renders legal advice on all facets of equal employment opportunity, including various issues under the jurisdiction of the Equal Employment Opportunity Commission (EEOC). Issues include reasonable accommodations and complaint processing. Researches pertinent statutory law, regulatory directives, and pertinent case law. Meets with and renders comprehensive verbal and/or written opinions to the Director of Civil Rights and other agency personnel as necessary.
- Conducts extensive research of complex legal and factual issues. Interprets and applies limited precedents when available or, when not, devises law theories consistent with PTO regulations, legal precedents, and applicable laws and regulations. Reviews cases and determines if it is in the agency's interest to settle a case, and assists in negotiating settlements. For cases ruled in the employee's favor, evaluates whether appeal by the agency is warranted. Confers with and provides advice to top management.
- Conducts research in connection with pending cases and analyzes factual and legal issues. Assists in judicial review of administrative decisions in coordination with the Director of Civil Rights. Reviews decisions from the EEOC and assists the Director of Civil Rights in determining whether to appeal adverse decisions; prepares appeals as needed.
- Develops the agency's position on litigation issues that arise in conjunction with administrative proceedings, to include: the analysis of appropriate relief when drafting final agency decisions finding agency liability, including attorney fees, implementation of "make whole" remedies, and compensatory damages. Reviews allegations of agency non-compliance with settlement agreements, and drafts determinations of breach allegations.
- Provides advice and prepares opinions on legal issues or factual questions, some of which lack clearly applicable precedents or contain complex factual scenarios. Prepares recommended course of action for agency staff members; prepares factual analysis and legal opinions, and presents oral briefings to agency officials and supervisors. Cases often contain extremely sensitive matters and have the potential for significant notoriety.

SUMMARY OF QUALIFICATION REQUIREMENTS:

A: Applicants **MUST** have a Law Degree from an accredited Law School, Active Bar Membership and Membership in Good Standing of the Bar of any State, District of Columbia, Puerto Rico, or any Territorial Court Under the Constitution.

(Applicants must provide a copy of college transcripts showing a law degree from an accredited college/university and proof of active/current bar membership and membership in good standing).

B: In addition to the requirements in A. above, applicants **MUST** have had one year of specialized experience, which has equipped them with the particular knowledge, skills, and abilities to successfully perform the duties of the position to be filled. The specialized experience must be

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equivalent to the next lower grade level or equivalent in the Federal Service. For the GS-13, specialized experience must be equivalent to the GS-12 grade level or equivalent. For the GS-14, specialized experience must be equivalent to the GS-13 grade level or equivalent. Specialized experience is experience working with the causes and effects of discriminatory practices and application of pertinent statutes (e.g., Civil Rights Act of 1964), Executive Orders, and Code of Federal Regulations. Federal employees are subject to time-in-grade requirements in accordance with DAO 202-302.

EVALUATION OF QUALIFIED CANDIDATES: Incumbent will be rated on the basis of experience, training, awards, supervisory appraisals, and the following factors. **Failure to address each factor may have an impact upon your ranking.**

1. Knowledge of EEO laws, regulations, and practices including those relevant to reasonable accommodation.
2. Demonstrated ability to conduct and direct complex legal research, including the use of computerized legal research services, in the areas of reasonable accommodation and employment discrimination law, engage in sound legal analyses and present the results in a clear, precise and persuasive manner.
3. Ability to communicate effectively orally and in writing, to include sensitive or controversial legal issues, and to prepare and make persuasive oral and written presentations to individuals at all levels of authority.
4. Ability to draft legally sufficient Final Agency Decisions.
5. Ability to draft legally sufficient reasonable accommodation decisions
6. Ability to draft legally sufficient appeals and responses to appeals to the Office of Federal Operations.

SELECTIVE FACTOR: Candidate must possess the following for consideration: Not Applicable

TO APPLY - SUBMIT THE FOLLOWING:

1. Candidates may submit a SF-171, Application for Federal Employment, an OF-612, or resume.
2. Most recent supervisory appraisal and a recent copy of a SF-50, Notification of Personnel Action (Current Federal employees only)
3. Vacancy announcement number, position title and grade level(s) you are applying for must be recorded on the application submitted.
4. College transcript or List of College Courses and Certificate of Scholastic Achievement. Status candidates may submit a copy of SF-50, Notification of Personnel Action, showing current or past classification.

FOR SPECIFIC INFORMATION CALL: ROBINSON SHIRLEY (571) 272-6194 TDD# 1-800-828-1120 or Relay System

For more employment opportunities visit our web site at WWW.USPTO.GOV

MAILING ADDRESS:

US Patent and Trademark Office
Mail Stop 171
Office of Human Resources
P.O. Box 1450
Alexandria, VA 22313-1450

WHERE TO APPLY IN PERSON:

US Patent and Trademark Office
Office of Human Resources
Elizabeth Townhouse
Customer Service Center, 1a79
550 Elizabeth Lane
Alexandria, VA 22314

GENERAL INFORMATION

1. Applications mailed in Government franked envelopes will not be considered.
2. Applications submitted by telefax will not be considered.
3. Applications submitted by email will not be considered.
4. Applications submitted by mail must be postmarked on or before the closing date of this announcement and received in the USPTO, Office of Human Resources, within five (5) working days of the closing date.
5. Applicants must meet all eligibility requirements by the closing date of the vacancy announcement.
6. Applicants must be citizens of the United States (or owe allegiance to the United States).
7. Applicants with disabilities, disabled veterans, or any other applicants eligible for non-competitive appointment under special appointing authorities not requiring competitive status should clearly specify their special eligibility on their application.
8. If selected, male applicants born after December 31, 1959, must confirm their selective service registration status. Certification forms are available at most Federal agency personnel offices or from the U.S. Office of Personnel Management.
9. Applications will not be returned to applicants.
10. Applicants will receive notification of the outcome of a vacancy announcement as soon as possible after a selection is made.
11. Qualification requirements in the vacancy announcement are based on OPM Qualifications Standards for General Schedule positions.

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12. Privacy Act requirements (PL 93-579): the application forms prescribed are used to determine qualification for promotion, reassignment, or employment and are authorized under Title 5, U.S.C. sections 3302 and 3360.
13. Candidates outside of the USPTO who are selected will be required to complete the Declaration for Federal Employment, OF-306.
14. Relocation expenses will not be covered.
15. If a vacant position is filled at a grade below the full performance level, the selectee may be promoted without further competition. However, this implies no promise or guarantee of promotion.

The United States Patent and Trademark Office will provide reasonable accommodations to applicants with disabilities. If a reasonable accommodation is needed for any part of the application process, please notify the human resources representative identified under the 'How To Apply' section of this announcement. Decisions on reasonable accommodation will be made on a case-by-case basis.

VACANCY ANNOUNCEMENT SUPPLEMENTAL INFORMATION

ALL QUALIFIED APPLICANTS WILL BE CONSIDERED REGARDLESS OF AGE, RACE COLOR, SEX, CREED, NATIONAL ORIGIN, LAWFUL POLITICAL AFFILIATION, NON-DISQUALIFYING HANDICAP, MARITAL STATUS, SEXUAL ORIENTATION, AFFILIATION WITH AN EMPLOYEE ORGANIZATION, OR OTHER NON-MERIT FACTOR.

REGARDLESS OF WHICH APPLICATION FORM/FORMAT IS USED, APPLICANTS SHOULD ADDRESS THE FOLLOWING:

1. The announcement number, title and grade of the position for which you are applying.
2. **Personal information**
 - a. Full name, mailing address (including ZIP Code), home and work telephone numbers (including area codes)
 - b. Social security number
 - c. Country of citizenship
 - d. Veteran's preference: If you wish to claim 5-point veterans preference or if you are applying under the Veterans Readjustment Appointment provisions, you must include dates of military service and a copy of each Certificate of Release or Discharge from Active Duty, DD-214. If you are claiming 10-point veterans preference, you must also include SF-15 and the appropriate proof required by that form.
 - e. Competitive status: if you are a current or former Federal employee, and if the announcement is open to status applicants only or if you wish to be considered as a status applicant, you must submit a copy of your SF-50, Notification of Personnel Action, which shows you have status.
 - f. Veterans who are preference eligible or who have been separated from the armed forces with honorable conditions after 3 years or more of continuous active service may apply. (Under merit promotion procedures.)
 - g. Highest federal civilian grade held, including job series and dates held.
3. **Education**
 - a. High school - name, city, state and ZIP Code (if known) and date you received diploma or GED.
 - b. Colleges and universities - name, city, state and ZIP Code (if known), majors(s), type(s) of degree(s) received and date(s) received. If you did not receive a degree, show total credits earned and indicate whether semester or quarter hours. Submit copies of undergraduate and/or graduate transcripts if the announcement specifies minimum education requirements, if you are qualifying based on allowable substitution of education for experience or if you are qualifying based on Superior Academic Achievement (see the announcement for details).
4. **Job-Related Work Experience (Paid and Non paid)**
 - a. Job title (include series and grade if Federal)
 - b. Duties and accomplishments
 - c. Employer's name and address
 - d. Supervisor's name and telephone number
 - e. Starting and ending dates (month and year)
 - f. Hours per week,
 - g. Salary
 - h. Indicate if we may contact your current supervisor.
5. **Other Qualifications**
 - a. Job-related training courses (title and year)
 - b. Job-related skills (i.e., other languages, computer hardware/software, tools machinery, etc.)
 - c. Typing and/or stenography speed
 - d. Job-related certificates and licenses (current only). Do not send copies unless required in the announcement.
 - e. Job-related honors, awards and special accomplishments (i.e., publications, memberships in professional or honor societies, leadership activities, public speaking, performance awards, etc.) Give dates but do not send documents unless requested.